

FILED

JUL 25 2019

**U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS**

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES STARKS and
KEVIN HENDERSON

Defendant.

4:19CR594 SNLJ/SPM

INDICTMENT

COUNT I

The Grand Jury charges that:

Beginning sometime in 2019, and continuing up to the date of this Indictment, with the exact dates unknown, in St. Louis County, State of Missouri, within the Eastern District of Missouri,

**JAMES STARKS and
KEVIN HENDERSON**

the Defendants herein, did knowingly and intentionally combine, conspire, confederate, and agree together with one or more other persons known and unknown to the Grand Jury, to commit the following offenses against the United States: to distribute and possess with the intent to distribute a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as Fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1),

All in violation of Title 21, United States Code, Section 846;

COUNT II

The Grand Jury further charges:

On or about January 3, 2019, in St. Louis County, State of Missouri, within the Eastern District of Missouri, the Defendant,

KEVIN HENDERSON,

the Defendant herein, did knowingly and intentionally distribute a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperdiny] propanamide, also known as Fentanyl, a Schedule II controlled substance,

In violation of Title 21, United States Code, Section 841(a)(1), and punishable under Title 21, United States Code, Section 841(b)(1)(C).

COUNT III

The Grand Jury further charges:

On or about January 8, 2019, in St. Louis County, State of Missouri, within the Eastern District of Missouri, the Defendant,

KEVIN HENDERSON,

the Defendant herein, did knowingly and intentionally distribute a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperdiny] propanamide, also known as Fentanyl, a Schedule II controlled substance,

In violation of Title 21, United States Code, Section 841(a)(1), and punishable under Title 21, United States Code, Section 841(b)(1)(C).

COUNT IV

The Grand Jury further charges:

On or about January 24, 2019, in St. Louis County, State of Missouri, within the Eastern District of Missouri, the Defendant,

KEVIN HENDERSON,

the Defendant herein, did knowingly and intentionally distribute a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperdiny] propanamide, also known as Fentanyl, a Schedule II controlled substance,

In violation of Title 21, United States Code, Section 841(a)(1), and punishable under Title 21, United States Code, Section 841(b)(1)(C).

COUNT V

The Grand Jury further charges:

On or about February 13, 2019, in St. Louis County, State of Missouri, within the Eastern District of Missouri, the Defendant,

KEVIN HENDERSON,

the Defendant herein, did knowingly and intentionally distribute a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperdiny] propanamide, also known as Fentanyl, a Schedule II controlled substance,

In violation of Title 21, United States Code, Section 841(a)(1), and punishable under Title 21, United States Code, Section 841(b)(1)(C).

COUNT VI

The Grand Jury further charges:

On or about March 7, 2019, in St. Louis County, State of Missouri, within the Eastern District of Missouri, the Defendant,

JAMES STARKS,

the Defendant herein, did knowingly and intentionally distribute a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as Fentanyl, a Schedule II controlled substance,

In violation of Title 21, United States Code, Section 841(a)(1), and punishable under Title 21, United States Code, Section 841(b)(1)(C).

COUNT VII

The Grand Jury further charges:

On or about March 7, 2019, in St. Louis County, State of Missouri, within the Eastern District of Missouri, the Defendant,

JAMES STARKS,

the Defendant herein, did knowingly and intentionally possess with intent to distribute a mixture or substance containing a detectable amount of Cocaine Base (Crack), a Schedule II controlled substance,

In violation of Title 21, United States Code, Section 841(a)(1), and punishable under Title 21, United States Code, Section 841(b)(1)(C).

COUNT VIII

The Grand Jury further charges:

On or about March 7, 2019, in St. Louis County, State of Missouri, within the Eastern District of Missouri, the Defendant,

JAMES STARKS,

did knowingly possess one or more firearms in furtherance of a drug trafficking crime, to wit: possession with intent to distribute a controlled substance, as charged in Counts VI and VII,

In violation of Title 18 United States Code, Section 924(c)(1), and punishable under Title 18, United States Code, Section 924(c)(1)(A)(i).

COUNT IX

The Grand Jury further charges:

On or about March 7, 2019, in St. Louis County, State of Missouri, within the Eastern District of Missouri, the Defendant,

JAMES STARKS,

the Defendant herein, knowingly possessed a firearm, knowing he had previously been convicted in a court of law of one or more felony crimes punishable by a term of imprisonment exceeding one year, and the firearm previously traveled in interstate or foreign commerce during or prior to being in Defendant's possession.

In violation of Title 18, United States Code, 922(g)(1).

FORFEITURE ALLEGATION

The Grand Jury further finds by probable cause that:

1. Pursuant to Title 21, United States Code Section 853(a), upon a conviction of an

offense in violation of Title 21, United States Code, Sections 841(a)(1) as set forth in Count I and Count II, the Defendant listed in each count shall forfeit to the United States of America, any property, real and personal, constituting or derived from any proceeds obtained directly or indirectly as a result of said offenses, and any property used, or intended to be used, in any manner or part to commit or facilitate the commission of said violations.

2. Subject to forfeiture is a sum of money equal to the total value of any property, real or personal, constituting or derived from any proceeds obtained, directly or indirectly, as a result of such violation(s) set forth in Counts I through IX.

3. Specific property subject to forfeiture includes, but is not limited to, the following:

a. Approximately \$2,758.00 in U.S. Currency;

4. If any of the property described above, as a result of any act or omission of the defendant(s):

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third party;

c. has been placed beyond the jurisdiction of the court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficult,

the United States of America will be entitled to the forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

A TRUE BILL.

FOREPERSON

JEFFREY B. JENSEN
United States Attorney

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